

*Minutes*  
**DAGSBORO TOWN COUNCIL**  
**Bethel Center**  
**Monday, June 19, 2023**

**I. CALL MEETING TO ORDER**

Meeting was called to order by Mayor Baull at 6:00 p.m.

In attendance were: Mayor Brian Baull, Vice-Mayor Theresa Ulrich, Councilman William Chandler, Councilman Norwood Truitt, Councilman William Labor, Town Administrator Cynthia Brought, Chief Steven Flood, Cpl. Justin Wechtenhiser and Town Solicitor Greg Morris. See sign in sheet for others in attendance.

**II. PUBLIC COMMENT**

No public comment was made.

**III. PUBLIC HEARING**

**A. A RESOLUTION TO CHANGE THE COST OF A WATER METER TO THE PREVAILING COST AT THE TIME OF INSTALLATION.**

No public comment was made.

Public Hearing was closed.

**DISCUSSION AND POSSIBLE VOTE ON PROPOSED RESOLUTION TO CHANGE THE COST OF A WATER METER TO THE PREVAILING COST AT THE TIME OF INSTALLATION.**

Town Administrator Brought stated that the price of a water meter has increased from \$250 to \$270.

Vice-Mayor Ulrich asked for confirmation that when the price of the water meters increases, they wouldn't have to have a Public Hearing each time. Town Administrator Brought stated, "That is correct, it will be the prevailing cost at the time." Councilman Chandler stated that the Resolution would take effect immediately.

Councilman Truitt made a motion to approve the proposed Resolution to increase the cost of a water meter to the prevailing cost at the time of installation. Councilman Chandler seconded the motion. The vote was 5-0 with all in favor.

**B. A RESOLUTION TO CONSIDER AMENDING SECTION 275-6, ACCESSORY BUILDINGS, OF THE TOWN OF DAGSBORO CODE**

**AND  
AN ORDINANCE TO AMEND CHAPTER 275-6, ACCESSORY BUILDINGS TO THE  
MUNICIPAL CODE OF THE TOWN OF DAGSBORO**

No public comment was made.

Public Hearing was closed.

**DISCUSSION AND POSSIBLE VOTE ON PROPOSED RESOLUTION AND ORDINANCE  
AMENDING SECTION 275-6, ACCESSORY BUILDINGS, TO THE MUNICIPAL CODE OF THE  
TOWN OF DAGSBORO**

Town Administrator Brought stated that this would change the square footage allowed on accessory buildings depending on the size of the property and would limit the number of accessory buildings allowed.

Councilman Chandler stated that they would be authorizing an increase in the size of accessory buildings based on the size of the property. Town Administrator Brought stated, "That is correct and limiting coverage up to 30%." Councilman Chandler asked for confirmation that accessory buildings must be in the back of the property and all setbacks stay the same and ones already approved would be grandfathered in. Town Administrator Brought replied, "Yes, that is correct."

Councilman Labor asked what the process would be for someone who has an accessory building prior to this Resolution where the property owner wasn't aware of needing a building permit, and a violation wasn't reported. Town Administrator Brought stated that anyone who has accessory buildings now would be grandfathered in because they can't go back and change something that has already happened. Councilman Labor stated that he believes that some residents don't realize that they need a building permit for accessory buildings. Town Administrator Brought agreed with him but stated that Code Enforcement, Stacy West, usually is aware of it and will contact the property owner.

Councilman Chandler asked, "Doesn't someone from the Town go out to approve permits when someone wants to add an accessory building to their property?" Town Administrator Brought stated that Engineering Consultant, Kyle Gulbranson, approves the building permits that include the site plan, building size and the setbacks of the property.

Councilman Labor made a motion to approve the Resolution and Ordinance amending Section 275-6, Accessory Buildings to the Municipal Code of the Town of Dagsboro. Councilman Truitt seconded the motion. The vote was 5-0 with all in favor.

**IV. APPROVAL of MINUTES  
May 15, 2023 Town Council Meeting Minutes**

Councilman Labor made a motion to approve the Town Council Minutes. Councilman Truitt seconded the motion. All were in favor.

**V. CONSENT AGENDA**

**a. Police Department Report**

Chief Flood stated that he and Cpl. Wechtenhiser went to Tarheel Kennels in NC to look at 6 dogs that were available for the K-9 program. He added that the dogs were demonstrated for them, and they had a system on how they were judging the dogs. They started with 6 very good dogs and then narrowed it down to their top 3 and then ended up choosing an almost 2.5 year-old German Shepherd. Chief Flood stated that, "The dog we chose was well above the bar during his demonstration." There was one Labrador available but out of the 6 dogs they saw, he was the bottom one.

Cpl. Justin Wechtenhiser introduced himself as a lifetime Sussex County resident and previously worked for Dewey Beach Police Dept. for 3 years as a seasonal officer and then started full-time at Bridgeville Police Department where he stayed for 10 years. During his time in Bridgeville, he worked on a lot of criminal interdictions on the highways and worked successfully with a K-9 but was not the K-9 Handler. He added that he worked with the K-9 for about 6 years while he was there and learned a lot about them. He stated that he was ready for a change and came to Dagsboro.

He stated that the dog they chose, Buzz, as in Buzz Lightyear, tested the best and was the most well-rounded. Cpl. Wechtenhiser stated, "I bonded with this dog more than I did with any of the other ones." He shared that he was amazed at seeing how they raise and discipline these dogs.

Chief Flood stated that Buzz will be trained in NC until October and then Cpl. Wechtenhiser will go to NC for 3-4 weeks to train as his Handler. Once he is certified, Cpl. Wechtenhiser would then bring Buzz back home with him. Councilman Chandler stated, "You won't get the dog until October." Chief Flood stated, "That is correct, he will be doing his training until then." Vice-Mayor Ulrich asked for confirmation that they would be back here in November. Chief Flood stated that it would most likely be November before he is back and patrolling.

Councilman Chandler asked Cpl. Wechtenhiser from his experience, "What months have the highest drug traffic on the highways?" Cpl. Wechtenhiser replied, "365 days-24/7—Criminals don't take time off." He added that the drug trade is a 24/7 business whether it is manufacturing or transporting.

Councilman Chandler stated that Buzz will be trained to detect certain drugs but not marijuana. Cpl. Wechtenhiser replied, "That is correct." Councilman Chandler replied, "Does it include fentanyl and cocaine." Cpl. Wechtenhiser replied, "Yes, both of those and methamphetamine and he believes Ecstasy is included also. Councilman Chandler asked if he would be triggered by marijuana. Cpl. Wechtenhiser replied, "No, that scent is not introduced to the dogs." Chief Flood added that the training facility doesn't have marijuana on their campus anymore.

Councilman Labor asked if Buzz would be social in addition to being training for drugs. Chief Flood stated Buzz was social with all the other dogs. He also stated that all dogs can be social to an extent, but all dogs can bite as well. Chief Flood added that he purposely scared this dog and he snapped at him but did not bite him.

Vice-Mayor Ulrich asked Cpl. Wechtenhiser, "What happens if your other dogs don't get along with Buzz?" Cpl. Wechtenhiser stated that his plan is to have an exterior kennel either in an indoor/outdoor shed and power connected to it or possibly connected to my garage, either way it will be climate controlled, and Buzz will be contained away from his other dogs.

Vice-Mayor Ulrich stated that they should speak with the insurance company about adding the K-9. Town Administrator Brought stated that they have had a K-9 Program in the past, so they can refer to that. Chief Flood stated that he has heard that insurance on a K-9 would be the same cost as a police officer. Cpl. Wechtenhiser stated that the liability on a single-purpose drug dog is lower because they are not trained to bite. Vice-Mayor Ulrich stated again that a child was bitten in Ocean View years ago by a K-9 dog and wonders if that would come back to the Town. Town Solicitor Greg Morris stated, "It could come back to the Town, but with any Municipality there is always immunity involved and someone would have to meet a higher standard to sue a Municipality under the statute."

Chief Flood stated that they sold the Silver Taurus for \$6000 and currently do not have a back-up vehicle.

He also stated that the speed trailer that they were able to get through OHS came in and are waiting for a couple parts to come in for it. Councilman Chandler asked, "Where will this one be located at?" Chief Flood stated that they would like to move it around since it is smaller and easier to move than their other one. He added that this is a \$9,000 piece of equipment that didn't cost them anything.

Chief Flood stated that a few weeks ago Cpl. Glaeser and Cpl. Wechtenhiser made a traffic stop on a man who had multiple warrants out against him including 3-4 police chases that he was wanted for. He also stated that Cpl. Glaeser got behind the man and he had no idea it was the police behind him since Cpl. Glaeser drives the Ford F-150. There was a helicopter overhead and the man pulled into Bodies(old) gas pumps and Cpl. Glaeser and Cpl. Wechtenhiser were able to block him in and take him into custody without any incident. Chief Flood added that the incident was on the news. Cpl. Wechtenhiser stated, "He had 11 different active warrants against him." Chief Flood stated that this one incident shows Cpl. Glaeser's experience and having the truck as a police vehicle was helpful since the man had no idea who was behind him, because he would have run again. He commended both for doing a great job.

Chief stated that they will finally get their money from DEA by the end of July in the amount of \$162,483.16. He added that the Police Dept. discussed purchasing two new police vehicles with the money and since police cars are not available at this time, they did research and found two 2023 Durango's in Idaho that are available. The price is close to the state contract price on vehicles, and to have them shipped out it would cost \$49K each, which includes shipping and insurance to get them

here. Chief Flood stated that their thought is to have Cpl. Wechtenhiser take Chief's pick-up as his K-9 vehicle since there is more room in it. He added that he and Cpl. Cullen would use the 2 new vehicles and that would leave them with the white Taurus for a back-up vehicle. The black Tahoe would be used as the back-up K-9 vehicle and to be used when Cpl. Wechtenhiser must do training throughout the State, which would save mileage and wear/tear on the F-150. He added if they were to get 2 new vehicles now, they would be set for the next 4-5 years.

Councilman Chandler asked Chief Flood where the dog would be sitting at in the truck. Chief Flood stated that the truck would need to be outfitted for the K-9 which would include steel door panels, flat base floor from one side to the other and steel cage. Cpl. Wechtenhiser stated that the K-9 would have 2/3 of the back seat and the prisoner would have 1/3. Councilman Chandler stated that the price to outfit the truck would come out of the \$162K. Chief Flood stated that he estimated it to cost about \$8K but he isn't positive on the price.

Councilman Truitt asked what it would cost to outfit the new police vehicles. Chief Flood stated that he would guess \$20K or less for each vehicle. Vice-Mayor Ulrich stated that would bring the cost of each Durango to \$70K and then getting the truck outfitted for the K-9 would use all the \$162K. Chief Flood stated, "Correct, but also in the next few months Cpl. Wechtenhiser has seizure money coming in." He added one seizure was \$87K and the other was \$21K. Vice-Mayor Ulrich stated, "What exactly can that money be used for?" Chief Flood stated that it is restricted to Police Dept. use only, with drug interdiction preferred, and police equipment including police vehicles, radar guns, etc.

Chief Flood stated that in September when the County Grant money (\$30K) comes in, they would not have to use it to purchase a vehicle and can use it to pay two years towards the in-car cameras that were discussed previously. He also stated this would save the Town on having to put that money out, which would be a big savings.

Councilman Chandler stated that Town Solicitor Greg Morris will check to see if there are any other vehicles priced better that can be purchased through CJC.

Councilman Chandler made a motion to approve Chief Flood's proposal to purchase two new Dodge Durango's with money being received from drug interdiction. Councilman Truitt seconded the motion. All were in favor.

- b. Treasurer's Report**
- c. Administrative Report**
- d. Building Official Report**
- e. Code Enforcement Report**
- f. Meeting Reports**
- g. Water Department Report**
- h. Prince George's Chapel Cemetery Report**
- i. Correspondence**

Town Administrator Brought stated that she is working with the insurance company and contractor on getting the wall of the cemetery repaired.

Councilman Labor stated that he saw someone working at the end of Waples St. Town Administrator Brought stated that DeDOT cleaned out all the storm drains but will also need to install a lateral since it is still flooding there. She is unsure how long that will take.

Mayor Baull stated that it seems like they are starting to make some progress with Fernmoor/Woodlands. Town Administrator Brought replied, "Yes, we do not have a timeline, but they agreed to take care of it." Town Solicitor Greg Morris stated that he spoke to Fernmoor's attorney, and they agreed to take care of the items on the punch list.

Town Administrator Brought stated that she spoke to John Thaeder from Artesian and asked him how the rate increase would affect the Town, if approved. John Thaeder stated that depending on the Town's usage, the rates could go down depending on how their current rates compare to everyone else's. Artesian asked for a 10% increase and that would be the most it could go up. They won't find out anything until the end of the year, which is good because they want to look at the Water Study again and see if the Town's water prices for residents should change. Vice-Mayor Ulrich stated that she was glad they didn't reduce the rates because they could go up now. Councilman Chandler stated that they are still paying less than the what the Town of Millsboro used to charge them.

Mayor Baull stated that Artesian was supposed to put a security fence around their property and asked if there was an update on that. Town Administrator Brought stated that she did not know and that the plant isn't complete yet. She also stated that the Town is getting water from other sources right now, probably South Bethany. Vice-Mayor Ulrich stated that she had no idea. Town Administrator Brought stated that there are so many regulations that are involved with it, but it is functioning, just not up and running yet.

Councilman Chandler stated that he would like to know about the security fence and when the Dagsboro plant would be up and running. Town Administrator Brought stated that she would ask John Thaeder.

Councilman Chandler stated that he thought the Town usually gets invited to PLUS meetings. Town Administrator Brought replied, "I did too but I didn't even know there was a meeting." She stated that they received the minutes to the meeting but nothing else.

Vice-Mayor Ulrich made a motion to approve the consent agenda. Councilman Labor seconded the motion. All were in favor.

## **VI. NEW BUSINESS**

### **a. Change of Use Application – Hurricane Martial Arts/Heathman Building**

Town Administrator Brought stated that the Heathman Building still belongs to Kern's but renovations were made to accommodate Hurricane Martial Arts since their previous rental was sold out from underneath them without their knowledge. Due to the building being empty for so many years, they needed to apply for a Change of Use on the building and must have approval from the Town Council.

Councilman Truitt made a motion to approve the Change of Use Application for Hurricane Martial Arts/Heathman Building. Councilman Chandler seconded the motion. All were in favor.

**b. Software Quotes for Business Licenses, Taxes and Water**

Town Administrator Brought stated the current programs that they are using for water billing and property taxes/business licenses are no longer supported and received quotes from 3 software companies. She also stated they received quotes to have the water, property taxes and business licenses billing all included under one program which will make it easier using one program instead of two different ones. She added that she did include the cost estimate in the budget, \$5K from the Water Fund and \$5K from the General Fund, to cover the cost of new software since it will be combined. Town Administrator Bought stated that out of the 3 estimates received, iGOV was the best one and they watched a demonstration to see what it does.

Vice-Mayor Ulrich asked Town Administrator Brought, "Do you prefer iGOV?" Town Administrator Brought replied, "Yes, and I think it's the least expensive for us because we already had Gov Collect and this will make it easier on us." She added that iGOV would work with Master Meter, which is who they have now. They would need to decide soon because property taxes need to be sent out soon for this year and the water billing can start the following month. Vice-Mayor Ulrich stated that the monthly fee for iGOV is \$500. Councilman Labor stated that price is very cost-effective for software. Town Administrator Brought stated that with this software they would be able to have the program on all 3 of their computers, not just one.

Councilman Truitt made a motion to approve the software proposal from iGOVSERVICES for utility billing, property taxes and business licenses in the amount of \$2870 as a one-time set-up fee and \$500 monthly subscription fee as proposed. Councilman Labor seconded the motion. All were in favor.

**c. August P & Z and Town Council Meetings – Summer Break**

Town Administrator Brought stated that since they don't have anything scheduled in August for P & Z, that August would be a good month to cancel the meetings for their summer break. She added that if something urgent comes up, then they would need to plan to meet.

Councilman Chandler made a motion to cancel the August meetings for Town Council and Planning & Zoning for summer break. Vice-Mayor Ulrich seconded the motion. All were in favor.

**d. Cemetery Price Increases (Meeting of May 20, 2023)**

Town Administrator Brought stated that PGCC Committee met on 5/20/23 and discussed increasing rates for corner markers, cemetery lots and internment costs. Corner markers were increased from \$300 to \$400 since they are only charging the price of the corner markers from Lloyd's StoneWorks and they are spending time marking and measuring the graves. Internment prices were increased from \$250 to \$300 for administrative costs. The price for cemetery lots increased from \$700 to \$750, and all these prices are in line with other cemeteries. She also stated that they would need Town Council approval to change the rates and would also notify local funeral homes of the new rates. They would change all PGCC forms to include the new rates.

Councilman Chandler made a motion to approve the proposed fee amendments that were agreed upon by the Prince George's Cemetery Committee. Councilman Labor seconded the motion. All were in favor.

**VII. OLD BUSINESS**

**a. Adoption of July 1, 2023 thru June 30, 2024 Fiscal Year Budget**

Town Administrator Brought stated that the only change made from last month to the Budget was the cost of health insurance for the Town employees due to price increases. Vice-Mayor Ulrich asked for confirmation since the health increased, was there an increase for general liability and workers compensation prices also. Town Administrator Brought replied, "No, we already had their current price for this year in the budget."

Councilman Chandler made a motion to approve the proposed July 1, 2023 to June 30, 2024 Fiscal Year Budget for the Town of Dagsboro. Vice-Mayor Ulrich seconded the motion. All were in favor.

**VIII. PUBLIC COMMENT**

Glen Rolfe, of Delaware State News, asked if there were plans for Dagsboro Night Out this year. Town Administrator Brought stated that it would most likely be in October again this year.

**IX. ADJOURNMENT**

Councilman Chandler made a motion to adjourn. Councilman Truitt seconded the motion. All were in favor.

Meeting adjourned at 6:54 p.m.

Respectfully Submitted,  
Wendy Rayne, Finance Clerk